FILED

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS MIDLAND-ODESSA DIVISION

MAR	20 2012
	DISTRICT COURT METRICT OF TEXAS
BY	DEPUTY

UNITED STATES OF AMERICA) DEP
v.)) CR. NO. MO-12-CR-0024
ERICA GARCIA))

FACTUAL BASIS

If this case had gone to trial, the Government would have proven the following beyond a reasonable doubt:

On or about November 23, 2011, in the Western District of Texas, the Defendant, ERICA GARCIA, unlawfully, knowingly and intentionally distributed a controlled substance, which offense involved a quantity of a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

Specifically, on November 23, 2011, the Drug Enforcement Administration (DEA) utilized a cooperating source (CS) to conduct a controlled purchase of cocaine from the Defendant. The CS and Defendant arranged the purchase of \$600.00 worth of cocaine at the Defendant's residence. The CS was equipped with an electronic recording device. In addition, the CS was searched before and after the transaction for any contraband. The Defendant's house was placed under surveillance during the transaction. The CS went to the Defendant's residence and entered. The CS gave the Defendant \$600.00 U.S. currency. The Defendant gave the CS the cocaine, and began to count the money. The CS then observed

the Defendant place the money on a table next to other amounts of U.S. currency. The CS then left the residence and met with agents at a predetermined location.

A DEA laboratory analysis returned a weight of 14.3 grams cocaine sold to the CS by the Defendant.

ERICA GARCIA

Defendant

REBECCA GIBSON

Attorney for Defendant

ROBERT PITMAN

UNITED STATES ATTORNEY

Date: 3-20./2

By:

WILLIAM R. TATUM

Assistant United States Attorney 400 West Illinois, Suite 1200

Midland, Texas 79701